

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ENDLESS SUMMER PRODUCTIONS, LLC	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 15-6097
SCOTT MIRKIN and EVENT BY	:	
SCOTT MIRKIN, INC. d/b/a ESM	:	
PRODUCTIONS, INC.	:	

**ORDER**

**AND NOW**, this 2nd day of March, 2016, upon consideration of the Defendants' Motion to Dismiss in Part Plaintiff's First Amended Complaint (Doc. No. 14), and the plaintiff's response, it is **ORDERED** that the Motion is **GRANTED**.

**IT IS FURTHER ORDERED** as follows:

1. Counts II, III and IV of the First Amended Complaint are **DISMISSED WITH PREJUDICE**;
2. Plaintiff's demand for punitive damages in Count I is **STRICKEN**; and
3. Defendant Scott Mirkin is **DISMISSED** from this action.

/s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.